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**BY ECF**

Hon. Vernon S. Broderick, U.S.D.J.  
Southern District of New York  
40 Foley Square  
New York, New York 10007

Re: *King v. Fedcap Rehabilitation Services, Inc., et al.*,  
Case No. 20-cv-01784

APPLICATION GRANTED  
SO ORDERED 

VERNON S. BRODERICK

U.S.D.J. 9/23/2021

Plaintiff's initial motion for conditional collective certification, (Doc. 42), is DENIED AS MOOT. I adopt the parties' proposed briefing schedule for Plaintiff's amended motion. The Clerk's office is directed to terminate the open motion at Document 42.

Dear Judge Broderick:

We are counsel to Plaintiff in the above-identified matter. We write jointly with counsel for Defendants to provide a briefing schedule as ordered by Your Honor on September 16, 2021 [Dkt.65].

Plaintiff respectfully requests the Court moot Plaintiff's previous Conditional Collective Certification Motion filed on July 22, 2021 [Dkt. 42]. Plaintiff would like to amend and refile his Conditional Collective Certification Motion to include more evidence. Defendants have indicated that they do not oppose this request.

If the Court permits the filing of an amended Conditional Collective Certification Motion, the parties propose the following briefing schedule:

- Plaintiff's moving brief: October 8, 2021
- Defendants' opposition: November 12, 2021
- Plaintiff's reply: December 3, 2021

In the event the Court declines to allow Plaintiff to file an amended motion, the parties alternatively propose the following briefing schedule:

- Defendants' opposition: October 28, 2021
- Plaintiff's reply: November 11, 2021

We thank the Court for its kind consideration.

Respectfully,

/s/ C.K. Lee  
C.K. Lee, Esq.

Encl.  
cc: all parties via ECF